



Agenda Item Number: \_\_\_\_\_

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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Meeting Date: April 28, 2009

Department: Zoning, Building, Planning Staff Contact: Adella Gallegos, Assoc. Program Planner

**TITLE: CONSENT:** Special Use Permit for Specific Use for an Amusement Enterprise (Paint Ball)  
(CSU-80020)

### COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

### SUMMARY:

At the March 4, 2009 public hearing, the County Planning Commission voted 7-0 to recommend approval of a Special Use Permit for Specific Use for an Amusement Enterprise (paint ball) on Tract 113B, located at 2700 Isleta Boulevard SW, on the east side of Isleta Boulevard north of Saunders Road, zoned R-1 & C-1, and containing approximately 2.93 acres. The decision was based on the following five (5) Findings and subject to the following nineteen (19) Conditions.

#### Findings:

1. This is a request for a Special Use Permit for A Special Use Permit for Specific Use for an Amusement Enterprise (paint ball) on Tract 113B, located at 2700 Isleta Boulevard SW, on the east side of Isleta Boulevard north of Saunders Road, zoned R-1 & C-1, and containing approximately 2.93 acres.
2. The property is located in the Semi-Urban Area as designated in Albuquerque/Bernalillo County Comprehensive Plan and in Residential Area Three (3) of the Southwest Area Plan.
3. The request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in area towards a mixture of commercial and residential uses along Isleta Boulevard and the subject site is situated amid both commercial and residential uses.
4. This request is not in significant conflict with the elements of the Southwest Area Plan, as articulated in Policies 29, 45 and 46, in that the request is a locally owned and operated business, is of a community commercial nature and would provide a youth oriented recreational use to this area of the South Valley.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.

#### Conditions:

1. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided to prevent fugitive light from crossing onto adjacent lots or public rights-of-way.

2. No outdoor speakers or amplified sound systems shall be permitted.
3. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance, including:
  - a. A six foot landscape buffer incorporating ground cover, shrubs and trees and a solid wall along the entire length of north and south property lines that abut residential uses except for the C-1 zoned portion to the south, the landscape buffer shall be 4 feet.
  - b. A solid wall or fence along the east property line adjacent to the Ranchos De Atrisco Ditch.
  - c. All landscaped buffers shall incorporate both coniferous and deciduous trees, shrubs, and vegetation to achieve a minimum of 75 percent coverage and a largely opaque screen within two years of initial planting.
  - d. At the time of planting, all trees shall be a minimum of 1½-inch caliper measured at two feet above ground, and shrubs shall be a minimum of five gallons in size. The landscaped buffers shall also provide gravel coverage at a minimum depth of two inches, and shall be watered by a designated irrigation system.
4. Within ninety (90) days of final approval from the Board of County Commissioners, the applicant shall submit a Traffic Impact Analysis (TIA) to the Bernalillo County Public Works Division for review and approval. The TIA shall address the impacts of the project on the road system, as well as determine appropriate mitigation measures. The applicant shall provide a copy of final approval to the Zoning Administrator for inclusion with the corresponding file.
5. Within ninety (90) days of final approval from the Board of County Commissioners, the applicant shall submit a Grading and Drainage Plan to the Bernalillo County Public Works Division for review and approval. The applicant shall provide a copy of final approval to the Zoning Administrator for inclusion with the corresponding file.
6. The netting shall be lowered when the facility is closed.
7. Within ninety (90) days of final approval from the Board of County Commissioners, the applicant shall submit to the Bernalillo County Fire Marshall's Office Material Safety Data Sheets (MSDS) records of the type of turf that is to be used.
8. The hours of operation shall be limited to Monday and Wednesday through Friday 11:00 am to 8:00 pm, Saturday 10:00 am to 9:00 pm and Sunday from 12:00 noon to dusk.
9. Parking requirements in accordance with Section 19.A.15 and 21 of the Zone Code must be complied. All off-street parking areas on the property shall be surfaced with a durable material consisting of concrete or bituminous surface. Spaces shall be appropriately marked to indicate the location of the space.
10. Signs provided in connection with the Special Use Permit shall meet the requirements of the C-1 zone, and shall be shown on a revised site plan that includes elevation drawings.
11. Three copies of a revised site development plan consistent with the Conditions of approval shall be submitted for review and approval to the Zoning Administrator within two months of the final Board of County Commissioners approval. The following changes and additions to the site plan will be required:
  - a. Netting for "Field 3" to be consistent with netting for "Fields 1 & 2".

- b. Signage elevation drawings and details.
  - c. Add existing temporary sign to site plan on south wall.
  - d. Sidewalks, striping and/or raised pedestrian access within complex in accordance with the Bernalillo County Public Works Division standards.
  - e. Add “existing” on Field 1 and include netting detail.
  - f. Note that the required 6” landscaping buffer to the southeast end of the site will be installed within 120 days if residential development of the adjacent property occurs.
  - g. The lighting within the cages shall not exceed 15 feet in height.
  - h. A statement of perpetual landscaping responsibility.
  - i. Additional landscaping necessary along north and south property lines adjacent to “Field 3”.
12. A minimum of three trees shall be added to the landscape buffer along Isleta Blvd.
  13. Pedestrian access points from the sidewalk shall be included from both north and south approaches with a designated path to the entrance of the facility, and shall have a safe separated path from vehicles.
  14. The front chain link fence shall be replaced with wrought iron fencing.
  15. Bike racks shall be provided.
  16. No signage or displays shall be allowed in the landscaped areas.
  17. This Special Use Permit shall be issued for ten years.
  18. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
  19. The foregoing Conditions of Approval shall become effective immediately upon execution or utilization of any portion of the rights or privileges authorized by this Special Use Permit.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (March 9, 2009)
2. County Planning Commission Information Packet
3. Site Plan dated January 9, 2009 (Commissioners Only)

## **STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff Recommends Approval